

1 **State of Arkansas**
2 **79th General Assembly**
3 **Regular Session, 1993**
4 **By: Joint Budget Committee**

A Bill

ACT 42 OF 1993
SENATE BILL 128

For An Act To Be Entitled

8 "AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND
9 OPERATING EXPENSES FOR THE ARKANSAS BURIAL ASSOCIATION
10 BOARD FOR THE BIENNIAL PERIOD ENDING JUNE 30, 1995; AND
11 FOR OTHER PURPOSES."

Subtitle

14 "AN ACT FOR THE ARKANSAS BURIAL ASSOCIATION BOARD
15 APPROPRIATION."

17 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

19 SECTION 1. REGULAR SALARIES. There is hereby established for the
20 Arkansas Burial Association Board for the 1993-95 biennium, the following
21 maximum number of regular employees whose salaries shall be governed by the
22 provisions of the Uniform Classification and Compensation Act (Arkansas Code
23 §§21-5-201 et seq.), or its successor, and all laws amendatory thereto.
24 Provided, however, that any position to which a specific maximum annual salary
25 is set out herein in dollars, shall be exempt from the provisions of said
26 Uniform Classification and Compensation Act. All persons occupying positions
27 authorized herein are hereby governed by the provisions of the Regular
28 Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101), or its
29 successor.

Item	Class		Maximum Annual		
			Maximum	Salary Rate	
			No. of	Fiscal Years	
No.	Code	Title	Employees	1993-94	1994-95
35	(1)	7124 BURIAL BD EXECUTIVE SECRETARY	1	\$ 30,920	\$ 32,002
36	(2)	7125 BURIAL BD AUDITOR	1	\$ 28,435	\$

1 29,430 (3) 7126 BURIAL BD SECRETARY 1 \$ 19,624
 2 \$ 20,310 MAX NO. OF EMPLOYEES 3

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4 SECTION 2. APPROPRIATIONS. There is hereby appropriated, to the
 5 Arkansas Burial Association Board, to be payable from cash funds as defined by
 6 Arkansas Code 19-4-801 of the Arkansas Burial Association Board, for personal
 7 services and operating expenses of the Arkansas Burial Association Board for
 8 the biennial period ending June 30, 1995, the following:

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10 ITEM	FISCAL YEARS	
11 NO.	1993-94	1994-95
12 (01) REGULAR SALARIES	\$ 78,979	\$ 81,742
13 (02) PERSONAL SERV MATCHING	24,752	25,380
14 (03) MAINT. & GEN. OPERATION		
15 (A) OPER. EXPENSE \$ 29,111	\$ 29,111	
16 (B) CONF. & TRVL. 0	0	
17 (C) PROF. FEES 0	0	
18 (D) CAP. OUTLAY 0	0	
19 (E) DATA PROC. <u>0</u>	<u>0</u>	
20 TOTAL MAINT. & GEN. OPER.	<u>29,111</u>	<u>29,111</u>
21 TOTAL AMOUNT APPROPRIATED	<u>\$ 132,842</u>	<u>\$ 136,233</u>

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23 SECTION 3. EMPLOYMENT OF ATTORNEYS. None of the funds appropriated in
 24 this Act for Maintenance and General Operation shall be expended in payment
 25 for services of attorneys, unless the agency shall first make a request in
 26 writing to the Attorney General of the State of Arkansas to provide the
 27 required legal services. The Attorney General's Office shall provide the
 28 requested legal services, or, if the Attorney General's Office shall determine
 29 that sufficient personnel are not available to provide the requested legal
 30 services, the Attorney General shall certify the same to the agency and may
 31 authorize the agency to employ legal counsel and to expend monies appropriated
 32 for Maintenance and General Operations therefor, if:

33 (1) The Attorney General determines, and certifies in writing, that
 34 such agency needs the advice or assistance of legal counsel, and

35 (2) The Attorney General consents in writing to the employment of the

1 legal counsel to be retained by the agency.

2 Such certification shall be required with respect to each instance of
3 the employment of special legal counsel, or shall be required annually with
4 respect to legal counsel employed on a retainer basis. A copy of such
5 certification shall be entered in the official minutes of the agency, and
6 shall be retained in the fiscal records of the agency for audit purposes.

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8 SECTION 4. COMPLIANCE WITH OTHER LAWS. Disbursement of funds
9 authorized by this Act shall be limited to the appropriation for such agency
10 and funds made available by law for the support of such appropriations; and
11 the restrictions of the State Purchasing Law, the General Accounting and
12 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
13 Procedures and Restrictions Act, or their successors, and other fiscal control
14 laws of this State, where applicable, and regulations promulgated by the
15 Department of Finance and Administration, as authorized by law, shall be
16 strictly complied with in disbursement of said funds.

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18 SECTION 5. LEGISLATIVE INTENT. It is the intent of the General
19 Assembly that any funds disbursed under the authority of the appropriations
20 contained in this Act shall be in compliance with the stated reasons for which
21 this Act was adopted, as evidenced by the Agency Requests, Executive
22 Recommendations and Legislative Recommendations contained in the budget
23 manuals prepared by the Department of Finance and Administration, letters, or
24 summarized oral testimony in the official minutes of the Arkansas Legislative
25 Council or Joint Budget Committee which relate to its passage and adoption.

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27 SECTION 6. CODE. All provisions of this Act of a general and permanent
28 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas
29 Code Revision Commission shall incorporate the same in the Code.

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31 SECTION 7. SEVERABILITY. If any provision of this Act or the
32 application thereof to any person or circumstance is held invalid, such
33 invalidity shall not affect other provisions or applications of the Act which
34 can be given effect without the invalid provision or application, and to this
35 end the provisions of this Act are declared to be severable.

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SECTION 8. GENERAL REPEALER. All laws and parts of laws in conflict with this Act are hereby repealed.

SECTION 9. EMERGENCY CLAUSE. It is hereby found and determined by the Seventy-Ninth General Assembly, that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a two (2) year period; that the effectiveness of this Act on July 1, 1993 is essential to the operation of the agency for which the appropriations in this Act are provided, and that in the event of an extension of the Regular Session, the delay in the effective date of this Act beyond July 1, 1993 could work irreparable harm upon the proper administration and provision of essential governmental programs. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after July 1, 1993.

APPROVED: 2/4/93

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